

ESTTA Tracking number: **ESTTA637068**

Filing date: **11/05/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91218474
Party	Plaintiff Wilbur-Ellis Company
Correspondence Address	Randy Troxel Trademark-Associates 1001 Bayhill Drive, Suite 200 San Bruno, CA 94066 UNITED STATES rtroxel@tmassoc.com
Submission	Motion for Default Judgment
Filer's Name	Randy Troxel
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Date	11/05/2014
Attachments	PHYTO-MAX; Motion for Default Judgment.pdf(107224 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of:

Opposition No. 91218474

Trademark Application Ser. No.: **86171284**
For the mark: PHYTO-MAX
Date filed: Jan. 21, 2014

Wilbur-Ellis Company
v.
Bio Huma Netics, Inc.

MOTION FOR DEFAULT JUDGMENT

Answer was due in this case by November 2, 2014. Inasmuch as it appears that no answer has been filed, nor has applicant filed a motion to extend its time to answer, opposer moves that the Board enter default judgment in favor of opposer.

WHEREFORE, opposer prays that Application No. 86171284 be refused registration.

Respectfully submitted,
TRADEMARK-ASSOCIATES

Dated: November 5, 2014

By: //randytroxel//
Randy Troxel
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Please refer to Our File: 834-800

CERTIFICATE OF SERVICE

The person whose signature appears below confirms that a Motion for Default Judgment dated November 5, 2014 has been served upon the other party as required by transmitting a copy of the document via U.S. Mail to Applicant's Correspondent of Record,

A. Stephen Farnsworth
1331 W Houston Ave
Gilbert, Arizona 85233-1816

Respectfully submitted,
TRADEMARK-ASSOCIATES

Dated: November 5, 2014

By: //randytroxel//

Randy Troxel
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